
Exhibit 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Uniformed Fire Officers Association; Uniformed
Firefighters Association of Greater New York; Correction
Officers' Benevolent Association of the City of New
York, Inc.; Police Benevolent Association of the City of
New York, Inc.; Sergeants Benevolent Association;
Lieutenants Benevolent Association; Captains Endowment
Association; and Detectives' Endowment Association,

Plaintiffs,

-against-

Bill de Blasio, in his official capacity as Mayor of the City
of New York; the City of New York; Fire Department of
the City of New York; Daniel A. Nigro, in his official
capacity as the Commissioner of the Fire Department of
the City of New York; New York City Department of
Correction; Cynthia Brann, in her official capacity as the
Commissioner of the New York City Department of
Correction; Dermot F. Shea, in his official capacity as the
Commissioner of the New York City Police Department;
the New York City Police Department; Frederick Davie,
in his official capacity as the Chair of the Civilian
Complaint Review Board; and the Civilian Complaint
Review Board,

Defendants.

**DECLARATION OF HEIDI
GROSSMAN**

20-cv-05441 (KPF)

HEIDI GROSSMAN, declares under penalty of perjury pursuant to 28. U.S.C. § 1746

the following is true and correct:

1. I am the Deputy Commissioner of Legal Matters/General Counsel for the New York City Department of Correction ("DOC" or "Department"). I have held this position since June 30, 2014. As the Deputy Commissioner of Legal Matters/General Counsel of DOC, I am responsible for advising the Commissioner, Executive Staff and members of the Department on matters of law and policy.

2. I submit this declaration to provide the Court with information that it requested regarding the format, manner of release and type of disciplinary records of uniformed members of the Department that as of July 15, 2020, the Department intended to release to the public.

3. On June 12, 2020, New York Governor Andrew Cuomo signed a bill into law which repealed New York Civil Rights Law § 50-a (“Civil Rights Law §50-a”), a statute that prohibited the disclosure of personnel records used to evaluate performance towards continued employment or promotion, including disciplinary records, of uniformed members of service of DOC.

4. Following the repeal of Civil Rights Law § 50-a, the Department began preparing to publicly disclose certain disciplinary records of uniformed members of service.

5. On July 15, 2020, Justice Carol Edmead of the New York State Supreme Court, New York County, a stay of the release of certain disciplinary records while the above-captioned case was transferred to the United States District Court for the Southern District of New York.

6. As of July 15, 2020, the Department was planning to post final determinations in cases in which a uniformed member of service was disciplined based on an encounter with an incarcerated person, including a use of force against a person in the Department’s custody, or in which that member of service brought in contraband into a Department facility, including any final discipline that was imposed by a negotiated plea agreement. The Department was planning to place this information in an Excel spreadsheet and post it on the Department’s website.

7. Since the issuance of the stay by Justice Edmead on July 15, 2020 and the subsequent issuance of a temporary restraining order by this Court on July 22, 2020, the Department has not determined a date on which to release the disciplinary records described above, as such a date is contingent on the Court's decision on Plaintiffs' motion for a preliminary injunction. Further, absent an injunction, the Department may modify its plan in accordance with the applicable law.

Dated: August 5, 2020



HEIDI GROSSMAN